

1 CHRISTOPHER J. HICKS  
Washoe County District Attorney  
2 HERBERT B. KAPLAN  
Deputy District Attorney  
3 Nevada State Bar Number 7395  
One South Sierra St.  
4 Reno, NV 89501  
hkaplan@da.washoecounty.us  
5 (775) 337-5700  
ATTORNEYS FOR WASHOE COUNTY  
6

7 UNITED STATES DISTRICT COURT  
8 DISTRICT OF NEVADA

9 \* \* \*

10 MARY LOHNES,

11 Plaintiff,

Case No. 3:19-CV-00287-MMD-WGC

12 vs.

13 WASHOE COUNTY,

14 Defendant.  
15 \_\_\_\_\_/

**STIPULATION AND ORDER TO  
VACATE DEADLINES AND  
DISCOVERY PLAN/SCHEDULING  
ORDER PURSUANT TO LR 26-4**

16 COME NOW the parties herein, by and through respective undersigned counsel of  
17 record and hereby stipulate and agree pursuant to LR 26-4 as follows:

18 This case involves Family Medical Leave Act employment related issues. To date, the  
19 parties have conducted the FRCP 26(f) conference int his matter. Initial disclosures have been  
20 exchanged.

21 A Scheduling Order (ECF #7) has been entered in this case. Expert disclosures and an  
22 interim status report are due on October 23, 2019. The discovery deadline is December 23,  
23 2019.

24 Discussions between counsel have made it evident that this case may be able to be  
25 settled without the need to incur any additional costs of litigation. The parties believe that  
26 settlement of this case is very possible if the status quo is maintained. A stipulation for

1 settlement conference was submitted (ECF #5) to include the matter for an early neutral  
2 evaluation. Within the stipulation (ECF #9), the parties agreed to “stay any and all discovery in  
3 this matter pending completion of settlement attempts” in an effort to minimize the expense of  
4 litigation and to facilitate settlement. In response to a stipulation submitted by the parties (ECF  
5 #9), the Court has ordered the parties to participate a settlement conference. In the Court’s  
6 minute order (ECF #10), it granted the stipulation for settlement conference and referred the  
7 matter to Magistrate Judge Carla B. Carry to set an early neutral evaluation conference.

8         The settlement conference has not to date been scheduled and it is unknown when that  
9 will be scheduled.

10         The parties agree that good cause exists to vacate and hold in abeyance those scheduled  
11 deadlines, as well as all other related deadlines, as the parties agree that requiring discovery at  
12 this juncture, with the settlement conference pending, would reduce the ability to settle the case.  
13 The parties agree that such action is in their best interests in keeping the cost of this litigation to  
14 a minimum by eliminating unnecessary pretrial activities, as well as being in the interest of the  
15 Court in conserving its resources, pending the early neutral evaluation. Should settlement of the  
16 case not result from the conference, a new scheduling order should be entered to allow the  
17 parties to conduct appropriate discovery.

18         Accordingly, the parties stipulate and agree to vacate the Discovery Plan/Scheduling  
19 Order of July 30, 2019, and the deadlines therein. In the event settlement discussions are  
20 unsuccessful, a new Discovery Plan/Scheduling Order should be entered by the Court to allow  
21 the appropriate discovery to be conducted.

22 ///

23 ///

24 ///

25 ///

26 ///

1 This is undersigned counsels' first request for an extension of the Discovery  
2 Plan/Scheduling Order.

3 This stipulation to extend said deadlines are being submitted to the Court more than 21  
4 days before the expiration of the subject deadlines.

5 Dated this 18<sup>th</sup> day of October, 2019.

6 CHRISTOPHER J. HICKS  
7 District Attorney

8 By /s/ Herbert B. Kaplan  
9 HERBERT B. KAPLAN  
10 Deputy District Attorney  
11 MARY KANDARAS  
12 Deputy District Attorney  
13 One South Sierra Street  
14 Reno, NV 89501  
15 hkaplan@da.washoecounty.us  
16 (775) 337-5700

17 ATTORNEYS FOR WASHOE COUNTY

18 Dated this 18<sup>th</sup> day of October, 2019.

19 DOYLE LAW OFFICE, PLLC

20 By /s/ Kerry Doyle  
21 KERRY DOYLE, ESQ.  
22 4600 Kietzke Lane, Suite I-207  
23 Reno, NV 89502  
24 kerry@rdoylelaw.com  
25 (775) 525-0889

26 ATTORNEYS FOR PLAINTIFF

**ORDER**

**IT IS SO ORDERED.**

**Dated this 21st day of October, 2019.**

William G. Cobb  
U.S. MAGISTRATE JUDGE